

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

11 RAPHAEL BARRETO,
12 Petitioner,
13 v.
14 M. MARTEL, Warden,
15 Respondent.

11 No. C 08-2008 MHP (PR)

**12 ORDER DENYING MOTION TO
13 PROCEED IN FORMA PAUPERIS ON
14 APPEAL**

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17 The Court denied Petitioner's petition for writ of habeas corpus, entered judgment in
18 favor of Respondent, and declined to issue a certificate of appealability on February 10,
19 2010. Presently before the Court is Petitioner's request to proceed in forma pauperis ("IFP")
20 on appeal (Docket No. 17).

21 Petitioner's motion to proceed IFP on appeal is DENIED. In denying the certificate
22 of appealability, the Court concluded that there are no valid grounds for an appeal.
23 Accordingly, granting Petitioner's request to proceed IFP on appeal would not be
24 appropriate.

25 **IT IS SO ORDERED.**

26 DATED: July 1, 2010


27 MARILYN HALL PATEL
28 United States District Judge